



2643

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Zhang et al.

Attorney Docket No.: AUD1P009

Application No.: 10/037,766

Examiner: Harvey, Dionne

Filed: October 23, 2001

Group: 2643

Title: METHOD AND SYSTEM FOR
REMOTELY UPGRADING A HEARING AID
DEVICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on March 1, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed

Kristina Gomez

RESPONSE A TRANSMITTAL**RECEIVED**

MAR 05 2004

Technology Center 2600

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response in the above-identified application.

- Applicant(s) hereby petition for a _____ month extension(s) of time to respond to the aforementioned Office Action.
- Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.
- Enclosed is our Check No. _____ in the amount of \$_____ to cover the additional claim fee and/or extension of time fees.
- Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 500388 (Order No. AUD1P009).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Zhang et al.

Attorney Docket No.: AUD1P009 #5

Application No.: 10/037,766

Examiner: Harvey, Dionne 3/9/04

Filed: October 23, 2001

Group: 2643

Title: METHOD AND SYSTEM FOR
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Kristina Gomez

RESPONSE A

Mail Stop Non-Fee amendment
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P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2600

Dear Sir:

In response to the Office Action dated December 5, 2003, please reconsider the above-identified patent application based on the following remarks.

REMARKS

In the Office Action, the Examiner rejected claims 1-4 under 35 USC § 102(b), and rejected claims 5-33 under 35 USC § 103(a). These rejections are fully traversed below. Claims 1-33 remain pending in the application.

Reconsideration of the application is respectfully requested based on the following remarks.

REJECTION OF CLAIMS 1-4 UNDER 35 USC § 102(b)

In the Office Action, the Examiner rejected claims 1-4 under 35 USC § 102(b) as being anticipated by Platt U.S. Patent No. 5,226,086. This rejection is fully traversed below. Platt describes a system and method for programming a plurality of hearing aids physically located at